

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

RADIAN MEMORY SYSTEMS LLC,

Plaintiff,

v.

Civil Action No.: 2:24-cv-1073

SAMSUNG ELECTRONICS CO., LTD.,
AND SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendants.

DECLARATION OF AUSTIN CURRY IN SUPPORT OF
PLAINTIFF RADIAN MEMORY SYSTEMS LLC'S
MOTION FOR PRELIMINARY INJUNCTION

I, Austin Curry, declare as follows.

1. I am an attorney at Caldwell Cassady & Curry P.C. I submit this declaration based on my personal knowledge and following a reasonable investigation. If called upon as a witness, I could and would competently testify to the truth of each statement herein.

2. My firm represents Radian Memory Systems LLC (“Radian”) in this matter.

3. To support Radian’s request for a preliminary injunction and to comply with Rule 65(c), I negotiated a \$10,000,000 bond on behalf of Radian and secured a letter of bondability for Radian in that amount.

4. Attached as Exhibit 1 are digital images of the eighteenth-century Chancery case *Horton v. Maltby*, LI Misc MS 112, p. 10 (Ch. 1783) (hereinafter “*Horton*”). I requested and obtained these images from the librarians at The Library at The Honourable Society of Lincoln’s Inn in London, UK (hereinafter “Lincoln’s Inn”). Lincoln’s Inn claims copyright protection over

the scanned digital images of *Horton*. As such, I asked Lincoln's Inn for permission to submit the copyrighted images of *Horton* in a court filing. Lincoln's Inn granted me that permission on the condition that each image be accompanied by the following note: "All images © The Honourable Society of Lincoln's Inn. Reproduced with permission of the Benchers of Lincoln's Inn." Accordingly, the images of *Horton* in Exhibit 1 have the required copyright notice from Lincoln's Inn.

5. Attached as Exhibit 2 are digital images of *Boulton v. Bull*, 3 Ves. Jr. 140 (Ch. 1796).

6. Attached as Exhibit 3 are digital images of *Donaldson v. Becket* (H.L. 1774), reprinted in 17 *The Parliamentary History of England from the Earliest Period to the Year 1803* (W. Cobbett ed., London, 1813).

7. Attached as Exhibit 4 are digital images of *Doolittle v. Walton*, 2 Dick. 442 (Ch. 1771).

8. Attached as Exhibit 5 are digital images of *Goodeson v. Gallatin*, 2 Dick. 455 (Ch. 1771).

9. Attached as Exhibit 6 are digital images of *Tonson v. Walker*, 3 Swans. 672 (Ch. 1752).

10. Attached as Exhibit 7 are digital images of excerpts of 1 Justice Story & A.E. Randall, *Commentaries on Equity Jurisprudence* §§ 930, 931, 933 (3d ed. 1920).

11. Attached as Exhibit 8 are digital images of excerpts of 1 George Spence, *The Equitable Jurisdiction of the Court of Chancery* 706 (1846).


12. Attached as Exhibit 9 are digital images of excerpts of 3 P. Edmunds et al., *Cyclopedia of Federal Procedure* § 857 (2d ed. 1943).

13. Attached as Exhibit 10 are digital images of excerpts of 13 P. Edmunds et al., *Cyclopedia of Federal Procedure* §§ 6537, 6583 (2d ed. 1944).

14. Attached as Exhibit 11 are digital images of excerpts of 4 J.N. Pomeroy et al., *Pomeroy's Equity Jurisprudence* § 1352 (4th ed. 1919).

I declare under penalty of perjury under the laws of the United States of America and the State of Texas that the foregoing is true and correct.

Executed on May 6, 2025


Austin Curry